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December 2, 2002

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**RE**: **AT&T Wireless Services, Inc. Interim Report**

*In the Matter of Revision of the Commission's Rules to Ensure Compatibility With Enhanced 911 Emergency Calling Systems*
CC Docket No. 94-102

Dear Ms. Dortch:

AT&T Wireless Services, Inc. ("AWS") is submitting this interim report to update the Commission about the status of its Phase II E911 testing and deployment activities on both its TDMA and GSM networks. Since it filed its November 1, 2002 Quarterly Report,[1/] AWS has continued to work toward the deployment milestones contained in the *TDMA Consent Decree* and *GSM Consent Decree*.[2/] Specifically, as of this week, AWS has deployed its Phase II technology at a total of 2,450 cell sites across its TDMA network. AWS also has integrated Phase II TDMA service at 906 cell sites, which represent 81 PSAPs. On its GSM network, AWS' primary E911 vendor, the Grayson Wireless division of Allen Telecom, Inc. ("Grayson"), has begun installing equipment in the market AWS selected for its First Office Application ("FOA") and development of the GSM TDOA technology is continuing.

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1/ *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, AT&T Wireless Services Inc. Quarterly Report (Nov. 1, 2002) ("*AWS November 2002 Quarterly Report*").

2/ *AT&T Wireless Services, Inc.*, File No. EB-02-TS-002, NAL/Acct. No. 200232100003, FRN 0003-7665-32, Order, FCC 02-174, (rel. June 18, 2002) ("*TDMA Consent Decree*"); *AT&T Wireless Services, Inc.*, File No. EB-02-TS-018, NAL/Acct. No. 200232100002, FRN 0003-7665-32, Order, FCC 02-283, (rel. Oct. 9, 2002) ("*GSM Consent Decree*").

***TDMA Network***

While all elements of AWS-provided software and hardware will be operational and connected to AWS' third-party database provider, Intrado, for more than 2,000 cell sites on its TDMA network as of December 31, 2002, as required by the *TDMA Consent Decree*, factors beyond AWS' control could prevent the PSAPs associated with those cell sites from receiving and utilizing the Phase II information (*i.e.*, service integration). For example, the AWS Phase II deployment team reports that responses by multiple PSAPs to AWS and vendor requests for deployment-related assistance and information have been becoming increasingly slow. While the exact extent of this problem is difficult to quantify, delays in obtaining PSAP information have been impacting Phase II integration schedules since the November 1, 2002 Quarterly Report was filed. Should this phenomenon continue during the upcoming holiday season, it could result in additional Phase II integration delays.

In addition, AWS has deployed its Phase II equipment at approximately 280 cell sites in recent weeks, but during the testing process has discovered that the 22 PSAPs associated with those sites have not yet upgraded their CPE to accommodate Phase II information. Thus, integration of Phase II E911 service at those locations will be delayed pending completion of the PSAPs' CPE upgrades.

AWS' Phase II integration efforts also continue to be slowed due to ILEC issues. As to Phase II requests in areas served by Qwest, AWS is not aware of any change to the impasse that currently exists between Qwest and PSAPs on the issue of E911 pricing. Unlike other ILECs, Qwest is refusing to move forward with testing or deployment of Phase II E911 service until PSAPs agree to Qwest's proposed pricing for the E911 functionalities. Earlier this month, Qwest forwarded its Wireless Carrier Guide for Enhanced 911 Phase II Connectivity to AWS, which states:

> Prior to the Wireless Carriers (WC) turning up service, the following must be in place:
>
> (a) Regulatory approval obtained for the Phase II service offering (Wireless RLOC) to the PSAP.
>
> > Some states require that a tariff be filed and approved by the Utilities Commission, i.e., AZ, CO, IA, MT, NM, OR, SD, UT, WA
>
> > Some states allow for service to be provided by contract, i.e., ID, MN, NE, ND, UT, WY[3]/

The net result of this policy is that Qwest continues to hold Phase II E911 service implementations hostage to its pricing requests in state tariff and contract proceedings.

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[3]/ Qwest Wireless Carrier Guide for Enhanced 911 Phase II Connectivity, Version 10 at 6 (November 8, 2002).

Notably, Qwest is the only Regional Bell Operating Company (RBOC) that is explicitly taking this position. As explained in earlier filings,[4]/ AWS currently can neither test nor implement Phase II E911 service anywhere in Qwest's territory.[5]/ In addition, Qwest's actions required AWS to abandon its FOA in Portland, Oregon, which was intended to test the Grayson technology with AWS' Nortel infrastructure beginning in October 2002. Instead, AWS is constructing the Nortel FOA test site in Ft. Myers, Florida, which is targeted to launch by the end of the year.

SBC's proposed tariffs for E911 cost recovery from PSAPs continue to draw opposition from the 911 community. In Texas, for example, various 911 jurisdictions sought and recently obtained permission to intervene in the E911 tariff proceeding.[6]/ It is AWS' understanding from conversations with the 911 jurisdictions in Texas that a major source of the conflict is SBC's proposed per-call rate design. The same conflict apparently exists in other SBC states, including Illinois and Missouri. Indeed, the St. Louis County Police Department, a PSAP in Missouri, recently informed AWS that it would not agree to be responsible for selective routing charges set forth in SBC's proposed tariff. This type of conflict between SBC and PSAPs reduces the number of PSAPs in SBC's territory that are willing to submit valid requests for Phase II E911 service, which in turn reduces the number of cell sites at which AWS can implement Phase II E911 service prior to resolution of these issues.[7]/

On a more positive note, AWS and SBC have completed a thirteen-state E911 Service Agreement for both Phase I and Phase II E911 service. This agreement, which

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[4]/ *See Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, AT&T Wireless Services, Inc. Interim Report (filed Oct. 18, 2002) ("*Interim Report*"); *AWS November 2002 Quarterly Report* at 4.

[5]/ Notwithstanding Qwest's policy as described above, AWS is continuing to explore possible solutions to this impasse that would permit some level of Phase II testing and/or deployment to commence in the Qwest territory. For example, on November 21, 2002, AWS learned of an offer by Qwest to permit Phase II E911 testing in certain locations prior to resolution of their pricing issues. AWS and Intrado are currently evaluating the technical feasibility of this offer with Qwest.

[6]/ *Application of Southwestern Bell Telephone d/b/a Southwestern Bell Telephone Company for Introduction of Wireless 9-1-1 Services Tariff*, Public Utility Commission of Texas, Tariff Control No. 26792, Order Granting Texas 9-1-1 Agencies Motion to Intervene (November 1, 2002).

[7]/ SBC's official position is that it will only provide Phase II service *if* one of the following is in place: (1) a permanent tariff, (2) an interim tariff, or (3) an individual case basis (ICB) contract. Letter to Marlene H. Dortch, Secretary, FCC, from Priscilla Hill-Ardoin, Senior Vice President, SBC Communications, CC Docket No. 94-102, Attachment at 5 (Response to Question 4) (filed Aug. 28, 2002). Thus, unless the PSAP resides in a state with an interim tariff with no per call rate, such as Illinois, a PSAP is technically faced with a choice of either accepting the per call rate or not proceeding with Phase II. It is unclear to AWS whether SBC is making case by case exceptions in jurisdictions where AWS is currently deploying Phase II service, although the lack of clarity creates a high risk that some PSAPs will simply decline to pursue Phase II during the pendency of any tariff proceedings.

will be effective upon full execution, has been signed by AWS and SBC is expected to sign in the immediate future.

In BellSouth's territory, the Wireless Telecommunications Bureau's October 28, 2002 letter on cost responsibility for Automatic Location Information (ALI) upgrades[8/] appears to have broken a major logjam with regard to implementation of Phase II E911 service. On November 4, 2002, BellSouth filed a letter in this docket stating that BellSouth's development of a new rate element for inclusion in its E911 state tariffs "will not delay implementation of E911 Phase II service in the BellSouth region because BellSouth is prepared to transmit Phase II X, Y location information to PSAPs as soon as the wireless carriers are prepared to send it."[9/]

Although AWS is hopeful that it can now complete an interconnection agreement with BellSouth regarding Phase II E911 services, problems in BellSouth's territory continue to arise. For example, last week, BellSouth informed AWS that it cannot deploy Phase II service in North Carolina until its tariff for the "ALI Update" is filed. BellSouth also may require state commission adoption of the tariff prior to deployment. In addition, AWS has received reports that BellSouth has instituted a new "default PSAP" charge in Louisiana, which has prompted some PSAPs to demand that BellSouth commit in writing that PSAPs will be excused from their payment obligations if they do not agree with the charges when they become available. These actions could further delay Phase II service integration in BellSouth states.

In addition to ILEC and PSAP readiness problems, issues regarding AOA antennas remain a source of concern, as noted in previous filings.[10/] While the TDMA Phase II deployment team is diligently working through those issues, zoning, landlord, and structural challenges presented by AOA antenna installations may mean that some AOA sites will not be completed as expeditiously as AWS would like.

***GSM Network***

On its GSM network, AWS and its vendors continue to make progress toward the GSM deployment milestones. Grayson has installed its dual mode GCS in the AWS

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[8/] *See* Letter from Thomas J. Sugrue, Chief, Wireless Telecommunications Bureau, FCC, to Kathleen B. Levitz, Vice President-Federal Regulatory, BellSouth Corporation; Luisa Lancetti, Vice President Regulatory Affairs, Sprint PCS; John T. Scott, III, Vice President & Deputy General Counsel, Verizon Wireless, CC Docket No. 94-102 (Oct. 28, 2002).

[9/] Letter from Kathleen B. Levitz, Vice President - Federal Regulatory, BellSouth Corporation, to Mr. Thomas J. Sugrue, Chief, Wireless Telecommunications Bureau, FCC, CC Docket No. 94-102 at 1 (Nov. 4, 2002).

[10/] *See* Letter from Douglas I. Brandon, Vice President – External Affairs, AT&T Wireless Services, Inc., to Thomas Sugrue, Chief, Wireless Telecommunications Bureau, FCC (July 13, 2001) (on file with Federal Communications Commission); *AWS November 2002 Quarterly Report* at 7.

market selected for the FOA of the GSM TDOA Phase II technology.[11/] In addition, Grayson currently remains on schedule to install its dual mode TDMA/GSM WLS units in the FOA market's cell sites. AWS also has installed the Grayson AMU in its testing facility and is in the process of testing the multiple configurations needed to connect this E911 component to the GSM network. However, significant work remains before the Grayson technology can be declared ready for FOA testing, and FOA testing itself may reveal issues affecting the overall suitability of this particular E911 solution. AWS will continue to advise the Commission periodically as these development efforts proceed.

In summary, AWS and its vendors are working diligently to achieve all of the E911 deployment milestones set forth in the *TDMA Consent Decree* and *GSM Consent Decree*. On its TDMA network, AWS remains concerned that integration of its Phase II E911 service will be hampered by ongoing issues beyond its control associated with PSAP readiness and ILEC pricing applications. The AWS GSM Phase II E911 technology development efforts are ongoing, as noted above, and AWS will continue to update the Commission as events warrant.

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[11/] The Grayson infrastructure for GSM networks is composed of three main components: (i) the Abis Monitoring Unit ("AMU"); (ii) the Wireless Location Sensor ("WLS"); and (iii) the Geolocation Control System ("GCS"). Typically, WLS units are installed at cell site locations, an AMU is installed at the Base Station Controller location, and a GCS unit is installed at the mobile switching center. The AMU extracts the required location information from the GSM network and transfers the information to the GCS. The GCS serves as the central hub of the Grayson installation, receiving tasking for location data, commanding WLS units to measure handset RF emissions, calculating a location based on the returned WLS measurements, and reporting location data in response to the PSAP request.

As required by the *TDMA Consent Decree* and *GSM Consent Decree*, a copy of this interim report is being filed with the Chief of the Enforcement Bureau, the Chief of the Wireless Telecommunications Bureau, and the Executive Directors and Counsels of APCO, NENA, and NASNA, as well as the FCC staff listed below. If you have any questions, please contact the undersigned.

Sincerely,

/s/ Douglas I. Brandon

Douglas I. Brandon

Attachments

cc: David H. Solomon, Chief, Enforcement Bureau
Thomas J. Sugrue, Chief, Wireless Telecommunications Bureau
John Ramsey, Executive Director, APCO
Robert M. Gurss, Counsel, APCO
Jim Goerke, Executive Director, NENA
James R. Hobson, Counsel, NENA
Evelyn Bailey, President, NASNA
Bryan Tramont
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